IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TENTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 16251 of 2004

Between:

Veliminedu Lorry Transport Association, Regd.No. 497/2004, Rep by its President, G. Linga Swamy, S/o. Mallaiah, aged 36 years, R/o. Veliminedu(V), Chitya (M), Nalgonda District.

..... PETITIONER

AND

1 The Inspector General of Police, Andhra Pradesh, Hyderabad.
2 The Superintendent of Police, Nalgonda, Nalgonda District.
3 Inspector of Police, Chowtuppal, Chityal Mandal, Nalgonda

Districtr.
4 Sub-Inspector of Police, Chityal Police Station, Chityal,

Nalgonda District.
5 Chityal Lorry Owners Assoication, Rep by its President Sri Pati

Narsi Reddy, S/o.not known, aged about 45 years R/o. Chityal,

Nalgonda District, General Secretary, K. Narayana,
S/o.not known R/o. Chityal, Nalgonda District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order, direction or writ more particularly one in the nature of Writ of Mandamus declaring the action of the 2nd 3rd & 4th respondents in not initiating any action against the 5th respondent office bearers i.e. Sri Pati Narsi Reddy & Sri K. Narayana as illegal, arbitrary and unjust and consequently direct the 2nd respondent & 3rd respondents to initiate necessary action upon the 5th respondent i.e., Sri Pati Narsi Reddy & Sri K. K. Narayana.

Counsel for the Petitioner:MR.G.RAVI MOHAN
Counsel for the Respondents: GP FOR HOME

The Court at the stage of admission made the following O R D E R:

This writ petition is filed seeking a declaration that the alleged action of respondents 2 to 4 in not initiating any action against the fifth respondent office bearers Sri Pati Narsi Reddy and Sri K.Narayana, as arbitrary and illegal.

On behalf of respondents 1 to 4, the fourth respondent- Sub-Inspector of Police, Chityal Police Station, Nalgonda District filed counter-affidavit stating that on the basis of the complaint dated 10-08-2004 made by the petitioner, a case in Crime No.108 of 2004, under Sections 147, 148, 324 r/w 149 IPC was registered against the fifth respondent association, and after verifying the material evidence, the fifth respondent association members were arrested on 15-09-2004 and they were produced before the Court and were remanded to judicial custody. It is also stated that on a complaint made by the fifth respondent on 10-08-2004, a case in Crime No.107 of 2004 was registered under Sections 147, 148, 324, 427 r/w 149 IPC against the petitioner's association members and they were arrested on 16-09-2004 and were remanded to judicial custody and later were released on bail. It is stated that both the cases are pending investigation and the matter is purely a private dispute between the petitioner association and the fifth respondent association. It is further stated that the police have nothing to do with the case of the petitioner as well as the fifth respondent and all the allegations made by the petitioner against them are false and baseless.

In the light of the averments in the counter-affidavit denying the allegations made by the petitioner, no further adjudication is necessary in this writ petition.

Accordingly, recording the statement in the counter-affidavit, the writ petition is disposed of. No costs.

10-11-2004 10-11-2004

kdl

To

1 The Inspector General of Police, Andhra Pradesh, Hyderabad.
2 The Superintendent of Police, Nalgonda, Nalgonda District.
3 Inspector of Police, Chowtuppal, Chityal Mandal, Nalgonda

Districtr.
4 Sub-Inspector of Police, Chityal Police Station, Chityal,

Nalgonda District.
5 Two C.Cs to the Government Pleader for Home, High Court

Buildings, A.P., Hyderabad (OUT)

6 Two C.D copies